

***United States Court of Appeals
for the Second Circuit***



EXHIBITS

Designated Association Exhibits

ASSOCIATION'S EXHIBITS

<u>Exhibit</u>	<u>Description</u>
1	Guild Letter to "Hyphenate Unit" dated February 9, 1973.
2	Letter dated January 22, 1973 to Writer's Guild of America from Herman Saunders.
3	Guild's Reply letter to Herman S. Saunders, dated January 30, 1973.
4	Press Release from Writer's Guild dated April 14, 1973, concerning charges against Hyphenates.
4a	Reprint from article of "Hollywood Reporter," dated April 16, 1973, entitled "Major Lot Hyphenates Will be Tried as Scabs."
4b	Reprint of article from Los Angeles Times dated April 15, 1973 entitled "Guild Charges Webb."
4c	Reprint of article from Daily Variety, dated April 16, 1973, entitled "WGA Indicts Five at Universal for Strike Violations."
5	Letter, on Writer's Guild of America stationery, dated February 2, 1973, and addressed to Walter S. Hoffman and signed by David Harmon (stipulation that on or about February 2, 1973, by letter, Guild reactivated all members who had withdrawn from Guild within preceding 2 years).
5a	Exemplar or legible form like Association's Exhibit #5, with exception that blanks are not filled in.
6	Bulletin headed "Attention," dated April 9, 1973, on subject of "Strike and Discipline;" copies were sent to all members of Guild.
7	5 page document, the first page of which is letter on Writer's Guild of America stationery, dated May 7, 1973, addressed "To All Members" and signed by Ronald McDougall, President. Letter and attached document were sent to all members of Guild by Guild on or about May 7, 1973.
8	2 page document, the first page written on Association's stationery, dated February 2, 1973, entitled "Notice to: Board of Directors, All Members" and signed by Billy H. Hunt; second page is on Writer's Guild of America West, Inc. stationery, dated February 2, 1973 and is to "Signatory Companies of the Association of Motion Picture & Television Producers, Inc." and is signed by Michael H. Franklin.

<u>Exhibit</u>	<u>Description</u>
10	Letter on Universal City Studios, Inc. stationery, dated March 5, 1973 and signed by Lou R. Wasserman and Sid Sheinberg.
11	1 page document on stationery of Universal Television with heading by special messenger, and which is for Company's official determination as to screen credit entitlement of a production executive.



WRITERS GUILD OF AMERICA, west, Inc.



Affiliated with the Writers Guild of America, east, Inc.

Member of International Writers Guild

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LOS ANGELES, CALIFORNIA 90048 • CRestview 4-8801
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DEPARTMENT HEADS
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Finance
BLANCHIE BAKER
Registration
MAUREEN D. DEATHIL
Handouts
MARY DOUSMAN
Credits
HELYNE LANDRES
Membership
LOUIS McGUIRE
Administration
ELENA THURSTON
Signatories

ALLEN RIVKIN
Public Relations

February 9, 1973

TO: TELEVISION HYPHENATE UNIT

A special meeting of Hyphenate members is scheduled for Thursday, February 15, 1973, at 8:00 p.m. in the Guild Board Room.

The purpose of the meeting is to discuss those matters which Hyphenate members consider pertinent in connection with the current negotiations and possible strike action.

Sincerely,

Michael H. Franklin
Michael H. Franklin
Executive Director

MHF:mw

mark vii ltd.

mark vii ltd. / 100 Universal City Plaza/Universal City/Calif. 91608

January 22, 1973

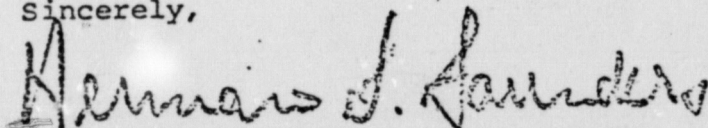
Writers Guild of America, West
8955 Beverly Boulevard
Los Angeles, California 90048

Attention: Membership Committee

Gentlemen:

In light of the fact that I have
done no writing for credit in nearly
five years and have functioned solely
as a producer in that period, I
therefore, respectfully request that
you accept my resignation from the
Writers Guild of America, West, as of
this date.

Sincerely,



Herman S. Saunders
Producer, ADAM-12

HSS:rd

cc: Ranald MacDougall

~~EXHIBIT "A"~~

Annex 3



WRITERS GUILD OF AMERICA, *West, Inc.*



Affiliated with the Writers Guild of America, east, Inc.

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Registration

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Residuals

MARY DORFMAN

Credits

HELYNE LANDRES

Membership

LOIS McGUIRE

Administration

ELENA THURSTON

Signatories

ALLEN RIVKIN

Public Relations

January 30, 1973

Mr. Herman S. Saunders
3551 Vista Haven Road
Sherman Oaks, California 91403

Dear Mr. Saunders:

This will acknowledge receipt of your letter to the Membership Committee of the Guild dated January 22, 1973, in which you tendered your resignation from the Guild. In view of current contract negotiations and the importance to the Guild of maintaining effective communication with its membership, the Board of Directors has declined to accept your resignation in accordance with Section 8 of Article IV of the Guild's Constitution and By-Laws. The Board voted that your membership shall continue in the Guild at least for the period during which the negotiations are being conducted plus an additional six months thereafter. If it is your desire to once again tender your resignation after the conclusion of the negotiations, but prior to the expiration of said six-month period, please feel free to do so, and the Board will once again consider your application.

Please be assured that your rights and privileges in the Guild are not impaired by your tender of resignation.

Sincerely,

Michael H. Franklin
Executive Director

MHF:mw

FROM:
WRITERS GUILD OF AMERICA, WEST
8955 Beverly Boulevard
Los Angeles, California 90048
PHONE 274-8601



DATE: April 14, 1973

CONTACT: ALLEN RIVKIN
276-4974

RELEASE: I M M E D I A T E

The Writers Guild over the weekend filed charges against five writer-producers employed by Universal Studios for violating strike rules imposed on all members since March 6, when the union struck all studios producing motion pictures and television.

Those charged with crossing a picket line for the purpose of going to work for a struck company are: Jon Epstein, Cy Chermak, Herman Saunders, David Victor and Jack Webb. They are ordered to appear before a Guild trial board and, if convicted, face substantial fines or suspension or expulsion or all of these penalties. Those convicted will appear on a "Roll of Dishonor" - according to Guild officials, and be listed in Guild publications "in perpetuity so that Guild members for years to come will never forget." A Guild spokesman characterized those members guilty of scabbing as "pariahs who have betrayed their colleagues."

It was reported to the Guild that Lew Wasserman and Sidney Sheinberg, Universal executives, "are threatening our hyphenates that if they don't return to work, they will lose their jobs." The Guild said they "fully expected a few weak sisters would yield to the Wasserman-Sheinberg threats" - but assured others who are standing firm that the Guild Board has adopted the position that no deal will be made with any company which has discharged a hyphenate unless he is reinstated to the project on which he was working.

Among others whose trial dates have been set for violating similar Guild strike rules are: Robert Blees, May 1; Michael Crichton, May 1; and John Mantley, May 4. Trial dates for the Universal hyphenates are: Epstein, May 2; Chermak, May 2; Saunders, May 4; Victor, May 2; and Webb, May 8.

Epstein is writer-producer of "Owen Marshall," Chermak writer-executive producer of "Ironside," Saunders writer-producer of "Adam 12", Victor writer-executive producer of "Owen Marshall" and "Marcus Welby," Webb writer-executive producer of "Adam-12 and "Emergency," Blees, writer-story editor of "Barnaby Jones," Crichton writer-director of the film "Westworld" and Mantley writer-executive producer of "Gunsmoke."

April 16, 1973

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MAJOR LOT HYPHENATES WILL BE TRIED AS SCABS

Webb, Mantley, Victor Among Eight Accused; WGA Targets Wasserman

By Will Tusher

Repeatedly pinpointed by both sides as the most explosive issue in the Writers Guild strike, the hyphenate powder keg blew sky high over the weekend as the WGA arraigned six producer-writers, one director-writer and a story editor-writer on charges of scabbing.

Seven of television's most popular series and one theatrical film were involved in the disciplinary action resulting from alleged crossing of picket lines to work for struck companies. Jack Webb and four others are employed at Universal.

The guild also accused MCA president Lew Wasserman, board chairman of the Association of Motion Picture and Television Producers — and the most powerful figure on the

management negotiating team — of threatening to discharge hyphenates unless they defy the walkout and return to work at Universal. Wasserman was named jointly with Sid Sheinberg, executive v-p of MCA and president of Universal Television.

Sheinberg promptly exonerated

Wasserman, assumed all responsibility for any such alleged action, and served notice that Universal intends to hold all producer-hyphenates to their contracts and to replace them if they refuse to perform services. Sheinberg told The Hollywood Reporter that Universal is determined to meet its commitment to deliver 13½ hours of television series and an unspecified number of non-series network programs.

All faced with "substantial fines or suspension or expulsion, or all three of these penalties," the following hyphenates stand accused of strike violations:

Jack Webb (Universal) — executive producer of "Adam-12" and "Emergency," both on NBC.

David Victor (Universal) — executive producer of "Owen Marshall, Attorney-at-Law" and "Marcus Welby, M.D.," both on ABC.

Cy Chermak (Universal) — executive producer of "Ironside," NBC.

Jon Epstein (Universal) — producer of "Owen Marshall."

Herman Saunders (Universal) — producer of "Adam-12."

(Continued on Page 9)

WGA's Hyphenate Bombshell —

(Continued from Page 1)

John Mantley — executive producer of CBS' "Gunsmoke."

Robert Brees — story editor, CBS' "Barnaby Jones."

Michael Crichton — writer-director of the feature film, "Westworld," shooting at MGM.

The action was announced in a strongly worded statement issued Saturday at the direction of WGA executive director Michael Franklin following a board meeting Friday. The guild took its promised hard line on strike observance, and tacitly admonished management that it does not propose to give further ground on hyphenate jurisdiction.

"Those convicted," declared the guild statement, "will appear on a 'roll of dishonor' . . . and be listed in guild publications 'in perpetuity' so that guild members for years to come will never forget. A guild spokesman characterized those members guilty of scabbing as 'pariahs who have betrayed their colleagues.'"

Ordered to appear before guild trial boards on the following dates are Brees and Crichton, May 1; Epstein, Chermak and Victor, May 2; Mantley and Saunders, May 4, and Webb, May 8.

Meanwhile, the WGA renewed its pledge that it would enter into no agreement with any company without a pre-condition calling for reinstatement, without prejudice, of any hyphenate discharged for strike activity. At the

same time the union said "it fully expected a few weak sisters would yield to the Wasserman-Sheinberg threats."

Effect of the WGA action on the newly formed hyphenate organization is certain to be watched with suspenseful interest. The group's 12-man steering committee is on record with unequivocal support of the strike. Steering committee membership includes Mantley, now accused of violating the strike rules, and WGA board member John Furia Jr., president of the WGA's television branch and a candidate to succeed Randal MacDougall, also a hyphenate, as president of the guild. The steering committee chairman, Robert Cinader, is producer of "Emergency" under the supervision of Webb, a fellow hyphenate ordered to appear before the WGA trial board.

Intimidation attributed to Wasserman and Sheinberg "was reported to the guild," the WGA statement declared, but no claim of substantiation was advanced. Sheinberg acknowledged to The Hollywood Reporter that some hyphenates have been warned of dismissal if they fail to report to work, but he insisted he was the only one who stated the situation in those terms.

"To the best of my knowledge," he said, "Mr. Wasserman hasn't had any communication with any hyphenates whatsoever. So, to the extent that there is someone who has been functioning in this area the responsibility is mine."

Sheinberg declared, however, that there have been very few instances in which such pressure has been exerted. He noted that hyphenates on the Universal payroll are employed primarily as producers, and said that their writing potential is "either incidental, minimal or non-existent." He also stated that Universal has not adopted an across-the-board policy on the question, but has been dealing with each situation on its merits and circumstances.

"There is an old adage in show business, the Writers Guild notwithstanding, that the show must go on," Sheinberg said. "As long as there is a performer or a writer or a director or an executive functioning, that is going to continue to be the case. The show will go on at Universal. It will go on as best we can make it go on, and with whatever means available at our disposal to get the show to go on."

Sheinberg noted — virtually echoing an earlier observation by hyphenate

steering committee chairman Cinader (Hollywood Reporter 4/9/73) — that the writers strike has created problems for hyphenates which do not face free lance writers. He said that as a consequence his studio has been faced with hard production decisions which it means to meet forcefully.

"The longer the strike lasts," he contended, "the more we're faced with the realistic prospect of our production being bunched up in one period of time, and the more it forces us to make certain decisions with regard to certain activities that we can get on the stages early because we have to face the prospect of this bunched up production coming later. . . . The very existence of the strike forces this kind of activity which could come to pass."

Under such circumstances, Sheinberg illustrated, the studio would be obliged to go into immediate production on non-episodic shows which under normal conditions wouldn't go before the cameras until a month or two from now.

"If we've got to face the prospect that we're going to be up to our tails in production later because of the strike," he observed, "it behooves us — as a matter of fact we have very little choice — to take whatever it is now and go forward with it. If the assigned person on that show, the producer, is a hyphenate and isn't reporting for work, we've got to make alternate arrangements."

17 40
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GUILD CHARGES WEBB VIOLATED PICKET LINE

Actor-producer Jack Webb and four other writer-producers were accused by the Writers Guild Saturday of crossing a guild picket line in violation of strike rules against motion picture studios.

Ordered to face guild trial boards next month were Webb, executive producer of *Adam 12* and *Emergency!*; Cy Chernak of *Ironside*; Herman Saunders of *Adam 12*; David Victor of *Owen Marshall* and Marcus Welby, M.D. and Jon Epstein of *Owen Marshall*.

If convicted, the accused face heavy fines or suspension or expulsion from the guild. Their names could also appear on a "roll of dishonor" to be published "in perpetuity so that guild members for years to come will never forget," the guild said.

Neither Webb nor the others named had any immediate comment.

LOS ANGELES TIMES
April 15, 1973

EXHIBIT F

April 16, 1973

Pages 1, 9

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WGA Indicts Five At Universal For Strike Violations

In its first major move against alleged violators of strike rules since Writers Guild of America began its industrywide walkout March 6, WGA has filed charges against five producer-writers who work at Universal. At the same time, a WGA spokesman said, "It was reported to the guild that Lew Wasserman (MCA president) and Sidney Steinberg (U TV prez) are threatening our hyphenates that if they don't return to work, they will lose their jobs."

Charged with crossing picket lines for purposes of going to work at a struck company are these U hyphenates—Jon Epstein, producer of "Owen Marshall"; Jack Webb, exec producer, "Adam 12" and "Emergency"; David Victor, exec producer, "Marcus Welby" and "Marshall"; Cy Chermak, exec producer, "Ironside"; Herman Saunders, producer, "Adam 12."

They have been ordered to appear before a WGA trial board, and if convicted, face "substantial"

(Continued on Page 9, Column 1)

WGA ACCUSES 5 PRODUCER-WRITERS AT U OF VIOLATING STRIKE RULES

(Continued from Page 1, Column 3)
fines, suspension or expulsion, or all of these penalties. Those convicted will appear on a "roll of dishonor," and be listed in Guild publications "in perpetuity so that Guild members for years to come will never forget," said a Guild spokesman who labeled members found guilty of scabbing as "pariahs who have betrayed their colleagues."

Same source said WGA "fully expected a few weak sisters would yield to the Wasserman-Sheinberg threats," but assured others on strike that WGA board has adopted position that no deal will be made with any company which has discharged a hyphenate unless he is reinstated to the project on which he was working.

Among other hyphenates for whom trial dates have been set on charges of violating Guild strike rules are Robert Blees, story ed of "Barnaby Jones," May 1; Michael Crichton, writer-director of MGM film, "Westworld"; John Mantley, exec producer, "Gunsmoke," May 4. Other trial dates: Epstein, May 21; Chermak, May 2; Saunders, May 4; Victor, May 2; Webb, May 8.

Newly formed Hyphenates Lobby demand that a 12-week preparation period on shows be included in Writers Guild of America demands to management will be supported by the Guild's negotiat-

ing committee, according to WGA West exec director Michael H. Franklin.

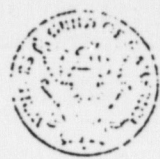
"We think that the support of this group is excellent," Franklin declared.

WGA, which struck the industry March 6, meanwhile has signed four more indies, a total of 39. Latest to sign were Playboy Prods. (Hugh Hefner), Dan Curtis Prods., William Carruthers Co. and Bob Banner Associates.

Franklin said anent the Nat'l Labor Relations Board regional decision to issue a complaint against WGA, as sought by Association of Motion Picture & Tv Producers, that that complaint has not yet been received. When it is, a hearing will be held, and, if the Guild should lose in that session, it will then appeal, the exec said.

45500 3

Writers Guild of America, Inc.



Affiliated with the Writers Guild of America, East, Inc.

Member of International Writers

8888 BEVERLY BOULEVARD
LOS ANGELES, CALIFORNIA 90048 • CABLE: WGA
Cable: INTWRITER, LOS ANGELES

February 2, 1973

Walter S. Hoffman
7657 Orion Avenue
Van Nuys, California 91406

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Dear Mr. Hoffman:

On June 27, 1972 at your request, you were placed
on Withdrawn status.

We call your attention to Section 5(c) of Article IV of the
Guild's Constitution and By-Laws which provides that by
action of the Board of Directors and upon notice to the
member and for good cause any member of the Guild who
has been placed on Withdrawn status may be restored retro-
actively to the status held by him at the time of application
for Withdrawn status.

in view of the current contract negotiations and the importance
to the Guild of maintaining effective communication with its
membership, the Board of Directors at its meeting in January
voted to restore you to Current status
in the Guild effective February 15, 1973.

The Board is aware that by reason of your restoration to
Current status the matter of payment
of basic dues may become a financial hardship to you. If
such is the case, would you kindly advise our membership
secretary who in turn will refer the matter to the Membership
Committee which is studying the question of the application
of basic dues requirements to those members affected by the
Board's decision.

Sincerely,

David Harmon
David Harmon
Secretary

DH:mvr



WRITERS GUILD OF AMERICA, west, Inc.



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LOIS MCGUIRE
Administration

ELENA THURSTON
Signatories

ALLEN BIVKIN
Public Relations

On _____ at your request, you were placed
on Withdrawn status.

We call your attention to Section 6(c) of Article IV of the Guild's Constitution and By-Laws which provides that by action of the Board of Directors and upon notice to the member and for good cause any member of the Guild who has been placed on Withdrawn status may be restored retroactively to the status held by him at the time of application for Withdrawn status.

In view of the current contract negotiations and the importance to the Guild of maintaining effective communication with its membership, the Board of Directors at its meeting in January voted to restore you to _____ status in the Guild effective February 15, 1973.

The Board is aware that by reason of your restoration to _____ status the matter of payment of basic dues may become a financial hardship to you. If such is the case, would you kindly advise our membership secretary who in turn will refer the matter to the Membership Committee which is studying the question of the application of basic dues requirements to those members affected by the Board's decision.

Sincerely,

David Harmon
David Harmon
Secretary

DH:mw

Attention!

ONLY COPY AVAILABLE

April 9, 1973

SUBJECT: STRIKE AND DISCIPLINE

Support of this strike by members of the Guild has had and continues to have an important impact on management. Each day that passes without an agreement squeezes tighter the pressure on companies to deliver TV programs to meet air dates, and theatrical films to meet commitments to distributors and exhibitors.

Recent developments, including the signing of important companies and the firm and positive stand by hyphenates supporting the strike, increase this pressure and diminish hopes of management that the strike will crumble, or support for it will erode.

The Guild has taken a tough stand on discipline of its members. Strike rules are stringent. They are designed not to harm ourselves but to enforce the power of the strike. Despite rumors and expectable human weakness, compliance with these rules has been extraordinary. Of course there have been violations. To this date, approximately 43 incidents of suspected violations have been reported. Sixteen cases have been very carefully prepared and the Board of Directors has authorized immediate action. Charges have been filed and Trial Board dates set. If the process seems slow, it is only because we must be certain the facts are accurate and the charges provable.

Some of these cases involve hyphenates. The AMPTP has threatened and predictably will persuade the regional office of the NLRB to file a complaint against us. The basis of this threat is the claim that the Guild has no right to discipline "supervisors." The Guild believes it very clearly does have this right. It is proceeding. Trial Boards will impose discipline appropriate to the violation.

Below is a statement from Charles Hackler, the preeminent attorney in the labor law field and Special Counsel to the Guild.

For more than 20 years after the passage of the 1947 Taft-Hartley Act, the disciplining of union members for crossing lawful primary picket

(over)

EXHIBIT G

lines established by their organizations was beyond legal question.

After recent changes in the membership of the National Labor Relations Board, this agency by a divided vote decided that the disciplining of supervisors as defined in the federal act for such anti-union conduct was improper. The newly appointed majority of the Board found such discipline to be an invasion of so-called management rights even though the particular supervisor had never acted as such a "management representative," was never likely to be so engaged and was, himself, covered by and a substantial beneficiary of the Labor Management Agreement.

These new and extreme pro-management decisions are being tested by many unions which traditionally have bargained and obtained benefits for persons who have some supervisory authority. Important test cases are on their way to the Supreme Court, including cases in the United States Court of Appeals which covers California. In the light of these facts, I have advised WGA West to follow the same policy. In addition to the argument of industrial unions against this belated and unrealistic economic power bonus to employers, I have pointed out that there is a reasonable chance that even the Board will not extend its new doctrine to hyphenate members of the Guild for several reasons. The hyphenate, as a creative writer is not a "supervisor" in the same sense that a foreman "superwises" rank-and-file production workers. This is particularly true when the hyphenate performs writing services pursuant to a personal service contract which supplements the Guild's Basic Agreement.

Also, the AMPTP-Guild Theatrical and Television Film Basic Agreement contains specific sections which provide that while a strike is in effect "such member of the Guild shall incur no liability for breach of his respective employment contract by respecting such strike call" so long as he is willing to perform services "upon the termination of the strike."

To my knowledge such provisions do not appear in the labor contracts of industrial unions which have received adverse rulings from the Board because they disciplined strike breaking supervisory members. Hopefully, the General Counsel of the Board will be able to see this clear distinction between the status and working agreement of the creative

(continued)

writer but, if he does not the Guild may expect a complaint to be issued on charges filed by the AMPTP. However, the Guild should win such a case after Board hearings or, if necessary court proceedings to set aside any adverse Board decision.

The important facts are these:

- 1) The strike is effective.
- 2) It is very strongly supported.
- 3) Violations are being dealt with, and will continue to be investigated.
- 4) The Guild can and will impose discipline on anyone found guilty.



WRITERS GUILD OF AMERICA, west, Inc.



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Member of International Writers Guild

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May 7, 1973

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WILLIAM LUDWIG
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Credits
HELYNE LANDBES
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LOIS M. GUIRE
Administration
ELENA THURSTON
Signatories

ALLEN HIRKIN
Public Relations

TO ALL MEMBERS:

Enclosed is a copy of the Guild's "Rules for the Conduct of Members During a Strike."

These rules were previously distributed, but we continue to receive inquiries concerning them and each member should have and retain a copy. Old Rule 30 as contained in the rules dated February 20, 1973 has been deleted, and old Rule 31 has been renumbered Rule 30.

Old Rule 30 provided that no member shall work with any individual suspended or disciplined because of violating strike rules. The Guild's position has been, and remains, that it will press disciplinary action as vigorously as the law and good union principles permit, against every member guilty of violating strike rules. Because the old rule could be misconstrued to mean that the Guild was maintaining an improper sanction, a matter of anathema to this Guild, the Board of Directors rescinded old Rule 30 at its regular monthly meeting of April 30, 1973. This action was taken voluntarily, in the belief that ample disciplinary measures remain available to trial committees, including penalties of fines, expulsion from membership, and other sanctions, and with the conviction that even in the pursuit of strike discipline, members of this Guild do not wish to be a part of an action which carries the odious implications of a "black list."

If you have any questions about these rules, please call the Guild.

Very truly yours,

Ranald MacDougall
President

Enc.

ONLY COPY AVAILABLE

May 1, 1973

RULES FOR THE CONDUCT OF MEMBERS DURING A STRIKE

1. Any act or conduct which is prejudicial to the welfare of the Guild is subject to disciplinary action. Conduct tending to defeat a strike or in any way weaken its effectiveness is per se conduct prejudicial to the welfare of the Guild.
2. Writing for any struck producer as designated in a restraining order is prohibited. The term producer includes any employer or potential employer, whether studio, individual, production company, network or any representative or subsidiary or associate thereof.
3. Writing for a struck producer is prohibited even though the member be employed by or under assignment to the said producer at the time the strike is called, regardless of the capacity in which the member is employed.
4. Writing for a struck producer will cease immediately upon the calling of the strike, regardless of the extent of the work already completed for said producer as the result of employment commenced prior to the date of the strike.
5. The prohibition against writing for a struck producer obtains regardless of the place at which writing might be done, i.e., whether on or off the premises of the producer.
6. No delivery of literary material shall be made to a struck producer regardless of when it was written, solicited, contracted or paid for.
7. The submission of literary material to a struck producer is prohibited even though neither negotiation for nor consummation of a sale is contemplated until after settlement of the strike.
8. Members shall file with the Guild copies of all literary material completed for and delivered to a struck producer as of the calling of the strike in order that they may be on record with evidence to substantiate their timely work stoppage in the event this matter comes into issue.
9. Immediately upon the calling of a strike members are to inform their agents or other representatives of all the Guild's strike rules and revoke or suspend as to a struck producer any authorization for representation, either for the sale of material or for services for the duration of the strike.

(Over)

10. Immediately upon the calling of a strike each member must serve written notice upon each struck producer who may at that time have in his possession any literary material owned by the member. A copy of such notice is to be sent to the Guild. Notice shall be in the following form:

"I hereby demand that you promptly return
to me the following named literary material
currently in your possession and owned by me:

(Title of Material)

(Signature)"

11. Members are prohibited from engaging in any conference, negotiations, discussions or meeting of any kind, whether in person, by telephone or through the mail, or through an agent or other representative, with any struck producer, his employees, associates, subsidiaries and/or representatives regarding the sale of any literary material or any contract for writing services even though the effective date of such proposed agreement be scheduled for a time after the settlement of the strike.
12. All members are prohibited from crossing a picket line which is established by the Guild at any entrance to the premises of a struck producer.
13. Members are prohibited from entering the premises of any struck producer for the purpose of discussion of the sale of material or contract of employment, regardless of the time at which it is to take effect. Members are also prohibited from entering the premises of any struck producer for the purpose of viewing any film whether it be a completed picture, stock footage, television pilot or whether it be by nature documentary or industrial or any other type. Should a member find it necessary to visit the premises of a struck producer for any reason apart from the foregoing he should inform the Guild in advance of the nature of such prospective visit.
14. Members may not accept from a struck producer for reading, perusal, study or any other purpose any sample script, format, presentation or literary material of any nature which might have any actual or potential connection with future employment of said members as writers or otherwise even though such services are to begin after the conclusion of the strike.
15. The use of a fictitious name of any kind as a means of circumventing strike rules and regulations is prohibited whether or not it be registered with the Guild.
16. The commencement of an assignment for a struck producer or the sale of literary material to a struck producer so soon after the settlement of a strike as fairly to give rise to the inference that negotiations for same have been conducted during the course of the strike shall be cause for investigation and is disciplinable, if evidence supports such inference.

(Contd.)

17. The acts of any agent or other representative acting on behalf of a member will be imputed to the member in the absence of satisfactory evidence to the contrary.
18. Any agreement entered into by a member prior to the commencement of a strike but in anticipation thereof for the sale or delivery of literary material not then written but to be delivered after the settlement of the strike is forbidden.
19. A member may not, during the course of a strike, conduct negotiations with a struck producer for financing the production of any of his literary material or scripts, or for his participation in such production in any capacity.
20. Every member has the duty of reporting to the Guild the name of any agent or producer or person or entity affiliated with the production, administration or management of a struck producer or company who, in disregard of an existing strike, solicits material from, or the employment of such member or any other member, or otherwise seeks to entice a member into violating the strike rules or regulations.
21. No member, his good intentions granted, may negotiate or seek to negotiate with any struck producer the settlement of a strike or any phase thereof.
22. A member is chargeable with knowledge of all strike rules and regulations, of any strike information or developments circularized through the mail to the membership and of any strike information made known to the entertainment industry through any recognized medium of communication such as trade papers, newspapers, radio broadcasts or telecasts, etc., unless he offers satisfactory evidence that it was impossible for him to receive such strike information.
23. Writers who are not members of the Guild, but who are reasonably chargeable with knowledge that the Guild is on strike or anticipates striking certain producers, who nevertheless write for or sell literary material to struck producers, or who in any way act to defeat the best interests of the Guild during a strike will be excluded from membership in the organization.
24. All members, regardless of the capacity in which they are working, are bound by all strike rules and regulations in the same manner and to the same extent as members who confine their efforts solely to writing.
25. A member may not, during a strike attempt to solicit or negotiate in behalf of a struck producer for the services of a writer, whether a member or not, or for the purchase of literary material, whether or not written by a member.
26. The term "member" encompasses anyone admitted to the membership rolls of the Writers Guild of America, both West and East, and classified as either active or inactive, associate, withdrawn or suspended, whether in good standing or bad.

(Over)

27. No member may be relieved of the responsibility for the payment of any fine, or from any disciplinary action resulting from any infraction of strike rules by offering his resignation from the Guild. Membership in any guild or union is not a voluntary association of parties but a binding contract between them which cannot be abrogated unilaterally by either party except under provisions of the Guild constitution or state or federal law. It should be noted that fines levied for infringement of strike rules are collectable in a suit at law.
28. The Guild shall have authority to assign and direct members in the performance of duties relating to the strike including, but not limited to, picket duty. Any member found guilty of refusal to perform picket duty shall be fined not less than \$100 per day for each day of such refusal to perform.
29. The following is excerpted from Article X, Paragraph A of the Guild Constitution and By-Laws:

"Any member of the Guild who shall be found guilty, after a hearing conducted in accordance with the procedures herein prescribed, of any act or failure to act, or any conduct which is prejudicial to the welfare of the Guild, or any of its Branches....or of failing to observe the Constitution and By-Laws of this Guild or any lawful order of the Council or of a Branch Board....may be suspended declared not in good standing, expelled from membership in the Guild, be asked to resign or in lieu thereof, or in addition thereto, he may be censured, fined or otherwise disciplined."
30. Enforcement of these rules may be delegated to such committee or committees as the Council may designate.

ONLY COPY AVAILABLE

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CHARLES S. BOREN
VICE CHAIRMAN OF THE BOARD

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VICE PRESIDENT

February 2, 1973

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VICE PRESIDENT

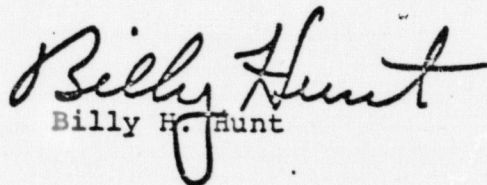
MARSHALL WORTMAN
VICE PRESIDENT

ROBERT T. WATKINS
TREASURER

NOTICE TO: Board of Directors
All Members

Enclosed is a notice dated February 2, 1973, from Michael Franklin, Executive Director of the Writers Guild of America, West, Inc., giving notice of termination of the Writers Guild Basic Agreement effective 30 days from February 2, 1973, under Article 15 A 4 b Alternative B (1) PAY TELEVISION.

Enclosed also are copies of the Guild's 1973 Theatrical and Television proposals which the Writers Guild delivered to us last Thursday so that we could have the benefit of reviewing them at an early date in the event our negotiations with the Guild with respect to Pay Television and Compact Devices were not fruitful and the Basic Agreement was therefore terminated.


Billy H. Hunt

BHH:jk
Encls.

B-76
M-245



WRITERS GUILD OF AMERICA, west, Inc.



Affiliated with the Writers Guild of America, east, Inc.

Member of International Writers Guild

8955 BEVERLY BOULEVARD
LOS ANGELES, CALIFORNIA 90048 • CReatview 4-8601
Cable: INTWRITER, LOS ANGELES

February 2, 1973

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SCREEN BRANCH
FAY KANIN
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Credits
HELYNE LANDRES
Membership
LOIS MCGUIRE
Administration
ELENA THURSTON
Signatories

ALLEN RIVKIN
Public Relations

TO: SIGNATORY COMPANIES OF THE ASSOCIATION OF
MOTION PICTURE & TELEVISION PRODUCERS, INC.
8480 Beverly Boulevard
Hollywood, California 90048
Attn: Billy H. Hunt, Executive Vice-President

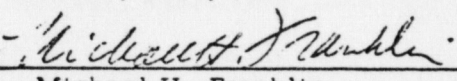
Reference is made to Article 15 A 4 b Alternative B (1) PAY TELEVISION of the WGA Theatrical and Television Film Basic Agreement of 1970.

No agreement has been reached in our negotiations with you concerning pay television, and more than 60 days have passed after the Guild reopened the aforesaid basic agreement for such negotiations. The Guild hereby elects to terminate the basic agreement, effective 30 days from this date.

Very truly yours,

Writers Guild of America, West, Inc.
On Behalf of Itself and Writers Guild
of America, East, Inc.

By


Michael H. Franklin
Executive Director

MHF:mw

A-10

UNIVERSAL CITY STUDIOS, INC. AN MCA INC. COMPANY

March 5, 1973

ONLY COPY AVAILABLE

Dear

Pursuant to a reopening provision in the Theatrical and Television Collective Bargaining Agreement between the Writers Guild of America and ourselves, the Guild has elected to terminate the agreement, effective at midnight March 4, 1973. We have been negotiating with the Guild for a new collective bargaining agreement with a view to reaching an agreement which is fair and reasonable to the writers and the member companies of the Association of Motion Picture and Television Producers.

If the Guild calls a strike, we intend to continue our operations and meet our contractual and moral obligations to supply theatrical and television motion pictures to our customers and the public.

If you are a member of the Writers Guild you may have received from the Guild a set of rules purporting to govern your conduct during the strike "regardless of the capacity" in which you are employed. We also understand that the Guild may have threatened you with fines and blacklisting in the event it calls a strike and you render services for us in any capacity or you fail to report for picket duty. Any attempt of the Guild to interfere with your services for us in a capacity other than as a writer is unlawful and the Guild's threat of fines, censure, expulsion and blacklisting is unenforceable.

In 1970 the Regional Office of the National Labor Relations Board advised us and the Guild that similar action and threatened action against members of the Guild was illegal.



100 UNIVERSAL CITY PLAZA • UNIVERSAL CITY, CALIFORNIA 91603 • 989-4321

Should there be a strike, and we hope there will not be, we expect you to fulfill your contractual obligations to us as a producer (director) (supervisor) and report to work notwithstanding any picket lines or other attempt to interfere with your complying with your contractual obligations. We trust that you understand that we will have no alternative but to resort to our legal rights and remedies in the event of a failure on your part to do so. Should the Guild attempt to fine or otherwise discipline you for meeting such obligations to us, you will be provided with a defense to any such proceeding, without cost to you, and you will be indemnified against any fine which might be imposed and is legally sustained.

Very truly yours,

Carl W. Winters
Samuel H. Steinberg

UNIVERSAL TELEVISION

BY SPECIAL MESSENGER

October 4, 1968

Writers Guild of America, West
8955 Beverly Blvd.
Los Angeles, California 90048

Attn: Mary Dorfman

THE GALLOPING SKIN GAME (#29601) - IT TAKES A THIEF series

Gentlemen:

Enclosed for the purpose of an automatic arbitration are three copies of each of the following:

1. Treatment by Leigh Chapman dated 3.7.68.
2. First draft by Leigh Chapman entitled SOMETHING OLD, SOMETHING NEW, SOMETHING BORROWED.
3. Second draft by Leigh Chapman entitled as in 2. above.
4. Rewrite by Gene L. Coon (Production Executive) dated April 18, 1968 and rev. 5.31.68.
5. Final script dated April 18, 1968 with final revision dated 9.30.68.

Our proposed credits are:

Written by Leigh Chapman and Gene L. Coon

Pursuant to the WGA Agreement, we hereby specify six (6) days after your receipt of above material as the time until which we will withhold final determination of credits. An early decision will be appreciated.

cc: Gene L. Coon
Leigh Chapman

Very truly yours,

Evelyn Rhine
Evelyn Rhine
Law Dept.

RECEIPT ACKNOWLEDGED:

By *J. A. I.*
for Writers Guild of America

Date: *10/11/68* Time: *11:00*



100 UNIVERSAL CITY PLAZA • UNIVERSAL CITY, CALIFORNIA 91608 • 965-4321

Assoc-11

